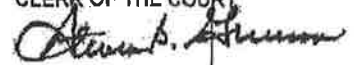


EXHIBIT “B”

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1 COMP
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DISTRICT COURT
CLARK COUNTY, NEVADA

12 PENNY DRAKE-TYNER; MICHAEL HANSEN,)

13 Plaintiffs,)

14 vs.)

15 NICOLAS L. HATCHER; GEISER BROS.)
16 DESIGN & DEVELOPMENT, INC., and DOES I)
17 through V, ROE CORPORATIONS, I through V,)
18 inclusive.)

19 Defendants.)

A-18-784432-C.

Case No.:

Dept. No.: Department 29

COMPLAINT

20 COMES NOW plaintiffs, PENNY DRAKE-TYNER and MICHAEL HANSEN, by and
21 through their attorney, LANE S. KAY, ESQ., of the *Law Office of Lane S. Kay, P.C.*, and for their
22 causes of action against the Defendants, and each of them, allege as follows:

23 1. That at all times relevant to these proceedings, plaintiffs PENNY DRAKE-TYNER
24 and MICHAEL HANSEN (hereinafter "PLAINTIFFS") were residents of the County of Clark, State
25 of Nevada.
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27 ///

1 2. That at all times relevant herein, upon information and belief, defendant NICOLAS
2 L. HATCHER (hereinafter "Defendant HATCHER") was a resident of the County of Maricopa, City
3 of Phoenix, State of Arizona.

4 3. That at all times relevant herein, upon information and belief, Defendant GEISER
5 BROS. DESIGN & DEVELOPMENT INC., (hereinafter "GEISER BROS"), a Domestic for Profit
6 Corporation, was and is domiciled in the state of Arizona, was doing business and authorized to
7 conduct systematic and continuous business in Clark County, Nevada. Defendant GEISER BROS is
8 in the off-road racing business and offers pre-race preparation and race day support services for desert
9 and short-course racing that do take place in Clark County, Nevada.

10 4. That the true names and capacities, whether individual, corporate, associate or
11 otherwise of the Defendants named herein as DOES I through V are unknown to Plaintiffs who,
12 therefore, sue said Defendants by said fictitious names; Plaintiffs are informed and believe, and
13 thereon allege, that each of the Defendants designated as DOES are responsible in some manner for
14 the events and happenings referred to, and caused damages proximately to Plaintiffs as herein alleged,
15 and Plaintiffs will ask leave of this Court to amend the Complaint to insert the true names and
16 capacities of DOES I through V when the same has been ascertained and to join such Defendants in
17 this action.

18 5. That the true names and capacities, whether individual, corporate, associate or
19 otherwise of the Defendants named herein as ROE CORPORATIONS I through V are unknown to
20 Plaintiffs who, therefore, sues said Defendants by said fictitious names. Plaintiffs are informed and
21 believe and thereon allege that each of the Defendants designated as ROE CORPORATIONS are
22 responsible in some manner for the events and happenings referred to, and caused damages
23 proximately to Plaintiffs as herein alleged, and Plaintiffs will ask leave of this Court to amend the
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1 Complaint to insert the true names and capacities of ROE CORPORATIONS I through V when the
2 same have been ascertained and to join such Defendants in this action.

3 6. That at all material times, Defendants, and each of them, were individuals and/or
4 entities who were and are agents, masters, servants, employers, employees, joint ventures,
5 representatives and/or associates, and with the consent, knowledge, authorization, ratification and
6 permission of each other. At all times relevant hereto, Defendants, and each of them, engaged in
7 concerted acts and/or were responsible for the acts and/or omissions of themselves and each other
8 Defendant and held a special relationship with Plaintiff and with the other defendants, non-delegable
9 in nature, and subject to a peculiar and high risk of harm for breach thereof.

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12 7. Plaintiffs allege that Defendant HATCHER was an employee of Defendant GEISER
13 BROS and that HATCHER was acting in the course and scope of his employment for GEISER BROS
14 during all times which gave rise to the injuries and damages sustained by the Plaintiffs.

15
16 8. That each named DOE and ROE Defendant negligently, willfully, intentionally,
17 recklessly, vicariously, or otherwise, caused, directed, allowed or set in motion the injurious events
18 set forth herein.

19
20 9. That each named Defendant, as well as any Defendant designated as DOE or ROE
21 entity are legally responsible for the events and happenings stated in this Complaint, and this
22 proximately caused injury and damages to Plaintiffs as alleged herein.

23 10. That all facts and circumstances that give rise to the subject lawsuit occurred in Clark
24 County, Nevada.

25 **GENERAL ALLEGATIONS**

26
27 11. That on or about November 24, 2016, Plaintiffs were asked by Defendant HATCHER
28 if they wanted to ride in an off-road racing trophy truck that his employer, Defendant GEISER BROS.,

1 had instructed Defendant HATCHER to get ready for a pre-run race that was taking place in either
2 Las Vegas or Pahrump on November 26, 2016. Defendant HATCHER drove out to a desert area in
3 Las Vegas, Nevada to test out the trophy truck. Both Plaintiffs had asked Defendant HATCHER to
4 help them secure the very complicated harness system in the truck. Defendant HATCHER informed
5 both Plaintiffs that there was no need to secure the harness because they would not be going that far
6 or that fast. Defendant HATCHER did fasten his own harness system. Defendant HATCHER, in the
7 course and scope of his employment for GEISER BROS in getting the trophy truck ready for the race
8 on November 26, 2016, carelessly and negligently drove the trophy truck at a high rate of speed in a
9 desert area that he was not familiar with and subsequently crashed into a ditch. Both Plaintiffs were
10 tossed about the interior of the trophy truck because there were not properly restrained in the harness
11 system in the trophy truck, and both Plaintiffs sustained serious injuries. Defendant GEISER BROS.
12 carelessly and negligently failed to educate, train, and supervise their employee HATCHER and as a
13 proximate result, Plaintiffs sustained serious, disfiguring, and disabling injuries. When Defendant
14 HATCHER notified his employer, GEISER BROS., about the accident involving Plaintiffs, he was
15 instructed to bring the trophy truck back to Phoenix, Arizona so it could be repaired and brought back
16 to Las Vegas, Nevada for the race on November 26, 2016.

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21 12. That by the reason of Defendants negligent acts and as a direct and proximate result
22 thereof, PLAINTIFFS have sustained great pain of body and mind, and mental stress and anxiety, all
23 or some of which conditions may be permanent and disabling in nature, all to PLAINTIFFS' damage
24 in amounts to be determined at trial.

25
26 13. That as a direct and proximate result of the negligence of Defendants, and each of
27 them, Plaintiffs have suffered physical injuries, the exact nature and extent of which are unknown at
28 this time. Said Plaintiffs have also incurred medical expenses in amounts to be determined at trial.

1 14. That as a direct and proximate result of the negligence of Defendants, and each of
2 them, Plaintiffs have lost income, employment benefits and loss of earning capacity in amounts to be
3 determined at trial.

4
5 15. That Plaintiffs had to retain the services of an attorney to prosecute this action and
6 are entitled to reasonable attorney's fees and costs of suit incurred herein.

7 WHEREFORE, Plaintiffs, expressly reserving the right to amend their Complaint at the time
8 of trial of the actions herein to include all items of damages not yet ascertained, demand judgment
9 against Defendants, and each of them as follows:

- 10
11 1. General damages in an amount in excess of \$15,000.00;
12 2. Damages for costs of medical care and treatment and costs incidental thereto,
13 both past and future when the same have been fully ascertained;
14 3. For Loss of Earnings, benefits, and future earning capacity, both past and
15 present;
16 4. Reasonable attorney's fees and costs of suit incurred herein; and
17 5. For such other and further relief as the Court may deem proper in the premises.

18
19 DATED this 12 day of November, 2018.

20
21 LAW OFFICE OF LANE S. KAY
22 A Professional Corporation

23 By: 

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PENNY DRAKE-TYNER and
MICHAEL HANSEN